

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

SHOPIFY INC. AND SHOPIFY (USA),  
INC.,

Plaintiffs and  
Counterclaim Defendants,

v.

EXPRESS MOBILE, INC.,

Defendant and  
Counterclaim Plaintiff.

Case No. 19-439-RGA

**STIPULATION AND [PROPOSED] ORDER REGARDING PROFFERS OF  
TESTIMONY OF MICHAEL ARNER AND CAMERON BATEMAN**

WHEREAS, this Court held a pretrial status conference on January 28, 2022 (the “Status Conference”);

WHEREAS, in accordance with the Court’s direction at the Status Conference, supplemental depositions of prior artists Michael Arner and Cameron Bateman were taken on March 22, 2022 and March 30, 2022, respectively; and

WHEREAS, in accordance with the Court’s direction at the Status Conference, the parties have conferred and agreed upon a schedule for submission of proffers of factual testimony of Dr. Arner and Mr. Bateman, and objections and replies thereto;

IT IS HEREBY STIPULATED and AGREED by the undersigned counsel for Plaintiffs Shopify Inc. and Shopify (USA), Inc. (collectively, “Shopify”) and Defendant Express Mobile, Inc. (“Express Mobile”), and subject to the approval of the Court, that the following dates will govern Dr. Arner and Mr. Bateman’s proffers:

Event	Deadline
Shopify shall file the proffers of testimony for Dr. Arner and Mr. Bateman	April 29, 2022
Express Mobile shall file its objections to the proffers of testimony for Dr. Arner and Mr. Bateman	May 20, 2022
Shopify shall file their replies to the proffers of testimony for Dr. Arner and Mr. Bateman	June 3, 2022

Dated: April 21, 2022

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/s/ Timothy Devlin

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IT IS HEREBY ORDERED this 21 day of April, 2022.

/s/ Richard G. Andrews

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U.S. DISTRICT COURT JUDGE